## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: STAMM et al

Application No.: Not Yet Assigned

Filed: September 22, 2003

For: Suspensions of Micronized Fenofibrate

Docket No: 107664.115US9

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 Form.

The submission of this Information Disclosure Statement does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art.

Pursuant to 37 CFR § 1.98(d), the documents listed on the attached PTO-1449 Form are not being submitted herewith since they were previously submitted by Applicants and/or cited by the PTO in one or more of the pending applications and/or issued patents to which the present application claims priority. This Information Disclosure Statement is being submitted with the application. Accordingly, no fee is due.

Applicants respectfully request that the Examiner initial and return a copy of the enclosed PTO-1449 Form with the next communication from the Patent Office.

Respectfully submitted,

Registration No. 38 898

Date: September 22, 2003

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PTC/SB/08A (10-96)
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				Application Number			
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STATI	EMENT	<b>BY AP</b>	PLICANT	First Named Inventor	Stamm		
				Group Art Unit			
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Sheet	1	of	2	Attorney Docket Number	107664.115		

				U.S. PATENT DOCU	MENTS	
Examiner Initials	Cite No.1	U.S. Patent Document  Number Kind Code² (if known)		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		6,180,138	8 B1	Engh et al	01-30-2001	
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Examiner Initials	Cite No.1	Foreign Patent Docu Office <sup>3</sup> Number <sup>4</sup>		Foreign Patent Document  Kind Code <sup>5</sup> Rumber <sup>4</sup> (if known)				Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Te I
		EP	0	256	933			Ethypharm	02-24-1998		
		EP	0	330	532			Fournier	08-30-1989		
		EΡ	0	519	144			Ilsan Ilac	12-23-1992		
		EP	0	793	958			Bernhard et al	09-10-1997		
		WO	82	2/01	649			Deshors	05-27-1982		
		WO	98	3/31	361		<u> </u>	Fournier	07-23-1998		+

Examiner	Date	
Signature	Considered	

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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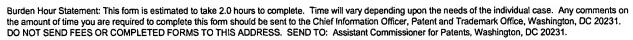
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCI Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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Sheet	2	of	2	Attorney Docket Number	107664.115		

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>					
		Temeljotov et al, Acta Pharm., 46:131-136 (1996).						
Examine	 	Date						

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